

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 139 be amended to read as follows:

- 1 Page 2, line 31, after "applicant" insert ",".
- 2 Page 2, line 31, before "by an" delete "or".
- 3 Page 2, line 31, after "employee" insert **"of the applicant,"**.
- 4 Page 2, line 32, before "volunteer" insert **"by a"**.
- 5 Page 2, line 32, delete "applicant." and insert **"applicant who has**
- 6 **direct contact with children who are under the direct supervision**
- 7 **of the applicant."**.
- 8 Page 2, line 33, strike "or of".
- 9 Page 2, line 33, after "employee" insert **"of the applicant,"**.
- 10 Page 2, line 34, delete "applicant," and insert **"applicant who has**
- 11 **direct contact with children who are under the direct supervision**
- 12 **of the applicant,"**.
- 13 Page 3, line 19, after "licensee" insert ",".
- 14 Page 3, line 19, before "by" delete "or".
- 15 Page 3, line 19, after "employee" insert **"of the licensee,"**.
- 16 Page 3, line 19, before "volunteer" insert **"by a"**.
- 17 Page 3, line 19, delete "licensee." and insert **"licensee who has**
- 18 **direct contact with children who are under the direct supervision**
- 19 **of the licensee."**.
- 20 Page 3, line 20, strike "or of".
- 21 Page 3, line 20, after "employee" insert **"of the licensee,"**.
- 22 Page 3, line 21, delete "licensee," and insert **"licensee who has**
- 23 **direct contact with children who are under the direct supervision**
- 24 **of the licensee,"**.
- 25 Page 4, line 18, after "applicant" insert ",".
- 26 Page 4, line 18, before "by an" delete "or".
- 27 Page 4, line 18, after "employee" insert **"of the applicant,"**.
- 28 Page 4, line 19, before "volunteer" insert **"by a"**.
- 29 Page 4, line 19, delete "applicant." and insert **"applicant who has**
- 30 **direct contact with children who are under the direct supervision**
- 31 **of the applicant."**.

- 1 Page 4, line 20, before "an employee" strike "of".
- 2 Page 4, line 20, strike "or" and insert **"of the applicant,"**.
- 3 Page 4, line 21, delete "applicant," and insert **"applicant who has**
- 4 **direct contact with children who are under the direct supervision**
- 5 **of the applicant,"**.
- 6 Page 4, line 21, after "or" strike "of".
- 7 Page 5, line 11, after "licensee" insert ",".
- 8 Page 5, line 11, delete "or by".
- 9 Page 5, line 11, after "employee" insert **"of the licensee,"**.
- 10 Page 5, line 11, before "volunteer" insert **"a"**.
- 11 Page 5, line 11, delete "licensee." and insert **"licensee who has**
- 12 **direct contact with children who are under the direct supervision**
- 13 **of the licensee."**.
- 14 Page 5, line 12, before "an employee" strike "of".
- 15 Page 5, line 12, after "employee" strike "or" and insert **"of the**
- 16 **licensee,"**.
- 17 Page 5, line 13, delete "licensee," and insert **"licensee who has**
- 18 **direct contact with children who are under the direct supervision**
- 19 **of the licensee,"**.
- 20 Page 5, line 13, after "or" strike "of".
- 21 Page 14, between lines 34 and 35, begin a new paragraph and insert:
- 22 "SECTION 28. IC 31-9-2-31 IS AMENDED TO READ AS
- 23 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 31. (a) "Custodian", for
- 24 purposes of the juvenile law, means a person with whom a child
- 25 resides.
- 26 (b) "Custodian", for purposes of ~~IC 31-34-1-1 through IC 31-34-1-9;~~
- 27 **IC 31-34-1**, includes any person ~~responsible for the child's welfare who~~
- 28 ~~is employed by a public or private residential school or foster care~~
- 29 ~~facility. who is:~~
- 30 **(1) a license applicant or licensee of:**
- 31 **(A) a foster home or residential child care facility that is**
- 32 **required to be licensed or is licensed under IC 12-17.4;**
- 33 **(B) a child care center that is required to be licensed or is**
- 34 **licensed under IC 12-17.2-4; or**
- 35 **(C) a child care home that is required to be licensed or is**
- 36 **licensed under IC 12-17.2-5; or**
- 37 **(2) a person who is responsible for care, supervision, or**
- 38 **welfare of children while providing services as an employee or**
- 39 **volunteer at:**
- 40 **(A) a home, center, or facility described in subdivision (1);**
- 41 **or**
- 42 **(B) a school, as defined in IC 31-9-2-113.5.**
- 43 SECTION 29. IC 31-9-2-113.5, AS AMENDED BY P.L.1-2005,
- 44 SECTION 200, IS AMENDED TO READ AS FOLLOWS
- 45 [EFFECTIVE JULY 1, 2006]: Sec. 113.5. "School", for purposes of
- 46 **section 31 of this chapter and IC 31-39-2-13.8**, means a:
- 47 **(1) public school (including a charter school as defined in**

- 1 IC 20-24-1-4); or
- 2 (2) nonpublic school (as defined in IC 20-18-2-12);
- 3 that must comply with the education records privacy provisions of the
- 4 federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g)
- 5 to be eligible to receive designated federal education funding."
- 6 Renumber all SECTIONS consecutively.
(Reference is to SB 139 as printed January 20, 2006.)

Senator LAWSON C